

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

07 CV 3174 (KMK)

SWISS REINSURANCE AMERICA  
CORPORATION, AS SUCCESSOR  
IN INTEREST TO FIRST EXCESS AND  
REINSURANCE CORPORATION,

**AFFIDAVIT OF SERVICE**

Plaintiff,

v.

CERTAIN UNDERWRITERS AT  
LLOYDS, LONDON, DOING BUSINESS  
AS SYNDICATE 53,

Defendant.

STATE OF NEW YORK )  
                          ) ss.:  
COUNTY OF NEW YORK )

**KIM L. POWELL**, being duly sworn, says:

I am not a party to this action; I am over 18 years of age; and I reside in Manhattan, New York;

That on the 23rd day of April 2007, I served the within **SUMMONS AND COMPLAINT AND RULE 7.1 STATEMENT** upon:

Certain Underwriters at Lloyds, London  
Doing business as Syndicate 53  
One Lime Street  
London EC 3M 7HA  
United Kingdom

by depositing a true copy of same, enclosed in a postpaid addressed wrapper and sent via Federal Express, and by hand delivery upon:

Certain Underwriters at Lloyd's, London,  
c/o Mendes & Mount, LLP  
750 Seventh Avenue  
New York, New York 10019

A copy of the documents served, stamped "Received" by Mendes & Mount, LLP are attached hereto.

Kim L. Powell  
KIM L. POWELL

Sworn to before me this  
24th day of April 2007

Susan Ryan

Notary Public

SUSAN RYAN  
Notary Public, State of New York  
No. 43-4912244  
Qualified in Richmond County  
Commission Expires November 9, 2009

## United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

SWISS REINSURANCE AMERICA CORPORATION, As Successor in Interest to FIRST EXCESS AND REINSURANCE CORPORATION,

## SUMMONS IN A CIVIL CASE

v.

CASE NUMBER:

CERTAIN UNDERWRITERS AT LLOYDS,  
LONDON, Doing Business As SYNDICATE 53,

07 CV 3174

TO: (Name and address of defendant)

Certain Underwriters at Lloyds, London, doing business as Syndicate 53  
c/o Spectrum Syndicate Management  
2d Floor, Bankside House  
107-112 Leadenhall Street, London, EC3A 4DD, England

JUDGE KARAS

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Bruce M. Friedman, Esq.  
RUBIN, FIORELLA & FRIEDMAN LLP  
292 Madison Avenue, 11th Floor  
New York, New York 10017

by hand  
MENDES & MOUNT LLP  
RECEIVED

APR 23 2007

Time \_\_\_\_\_  
Signature Lev Cil

an answer to the complaint which is herewith served upon you, within Twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

MICHAEL McMAHON

CLERK

Maros Quintero

(BY) DEPUTY CLERK

DATE

APR 20 2007

<b>RETURN OF SERVICE</b>		
Service of the Summons and Complaint was made by me <sup>1</sup>	DATE	
NAME OF SERVER (PRINT)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____ _____		
<input type="checkbox"/> Returned unexecuted: _____ _____		
<input type="checkbox"/> Other (specify): _____ _____		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____</p> <p>Signature of Server _____</p> <p>Address of Server _____</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.